

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

DAVID TYRON JONES,

Plaintiff,

v.

SHELBY COUNTY SHERIFF
DEPARTMENT and FORMER SHELBY
COUNTY SHERIFF BILL OLDHAM,

Defendants .

No. 2:24-cv-02859-SHM-tmp

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation filed by Chief United States Magistrate Judge Tu M. Pham on December 18, 2024. (ECF No. 14.) In the Report and Recommendation, the Magistrate Judge recommends that pro se Plaintiff David Tyron Jones's complaint be dismissed without prejudice because Plaintiff has failed to file an in forma pauperis application or pay the civil filing fee, despite a warning that failure to comply would result in dismissal. (See *id.*)

Pursuant to Federal Rule of Civil Procedure 72(b)(2), "[w]ithin 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2).

After initially being served on a previous address, the Report and Recommendation was re-mailed on January 8, 2025, to the updated address Plaintiff provided the Court on November 22, 2024 (ECF No. 12), which appears to be a shelter.

On January 27, 2025, the Court received a letter from Plaintiff. (ECF No. 15.) From his letter, it appears that Mr. Jones is suffering from a significant mental health condition, has been incarcerated, and is now located at the Shelby County Jail at 201 Poplar Avenue, Memphis, Tennessee. (See id.) His letter did not contain an objection to the Magistrate Judge's Report and Recommendation. (See id.)

No objections to the Report and Recommendation have been filed, and the time for filing objections has expired. See Fed. R. Civ. P. 5(b)(2), 6(d), 72(b)(2). "When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b) advisory committee notes.

On clear-error review of the Magistrate Judge's Report and Recommendation, the Court **ADOPTS** the Report and Recommendation (ECF No. 14) in its entirety. Plaintiff's Complaint (ECF No. 3) is **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED this 28th day of January, 2025.

/s/ Samuel H. Mays, Jr.
SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE